

Judges of Municipal Court

Named Saturday Afternoon;

Supplant Peace Justices

The four judges of the superior court of Fulton county last Saturday named the five Atlantans who will sit as judges in the new municipal court established by recent act of the legislature. The court will organize and begin active service on January 1, 1914.

The five men named to the new civil branch are L. F. McClelland, E. L. Thomas, J. B. Ridley, T. O. Hathcock and Luther Rosser, Jr.

The new court will take the place of the justice of peace courts in Fulton county, and is designed to do away with the fee system in vogue in the justice courts.

A chief justice of the court is to be named by Governor Slaton in the near future from the list of men elected Saturday by the superior judges. The

L. F. McCLELLAND

salary of the chief justice will be \$3,500 per year, while the associate judges will receive \$3,000.

Forty Candidate for Places.

Until Saturday there were over forty candidates in the field for the five positions. Practically every justice of peace in Atlanta sought a place on the new court bench. Only one, J. B. Ridley, was named.

The other four members of the court are all practicing attorneys of Atlanta having been members of the Atlanta bar for years past.

L. F. McClelland, one of the appointees, was born in Conyers, Ga., 38 years ago. He was admitted to the Atlanta bar in 1898 and has been an active attorney ever since.

E. D. Thomas has been practicing law here for the last thirteen years. He is aged 32 and is well known among

LUTHER ROSSER. JR.

the younger attorneys at the local bar.

T. O. Hathcock has been a practicing attorney in Atlanta for twenty years and has a wide circle of friends, who will be glad to hear of his appointment to the municipal court bench.

Luther Rosser, Jr., the son of the chief attorney in the Frank case, is practically a newcomer to the Atlanta bar, but in the cases where he has been active he has shown unusual ability.

May Test Legality.

The new municipal court will probably be tested by suit after it organizes, according to common report circulated Saturday. Justices of the peace whose business will automatically be wiped out with the establishment of the new court will probably band together and make an effort to prove that the establishment of

the new court is unconstitutional. None of the new appointees to the court would discuss the matter.

The new judges named from the list of applicants Saturday were all applicants for the positions they secured.

J. B. RIDLEY.

The duties of the new court will be in many ways similar to that of the present justice of the peace courts, but bailiffs, clerks and court room attaches will be on salary under the new court and all fees will be removed from service rendered through the new court officers.

The act creating the new court is the result of concerted action of the Atlanta Bar association through whose committee the bill establishing the court was put through the legislature. The new court is practically the same as the municipal court of New York, differing from the metropolitan court only in the number of justices, manner of procedure in civil suits and a few other minor details.

The court becomes legal on the first of next year, the judges being sworn in on that date.

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*Judge Roan Saves
Youth*

*From Sentencing
Himself*

To a Term in Chaingang

One of Judge L. S. Roan's last official acts as a Fulton county superior court judge was the saving of a young lad on Saturday from sentencing himself to the chaingang.

Davis Bonner, aged 16, recently was arrested on a charge of burglary. He was indicted and faced a long chaingang sentence. It developed during his stay in jail that the lad had sworn that he was 18 years of age when in reality he was but 16.

When Judge Roan learned the fact through a plea to the jurisdiction of the criminal court, filed by Attorney Leonard Grossman, on behalf of the Associated Charities, the lad was bound over to the jurisdiction of the juvenile court, to be tried next Tuesday.

Solicitor Dorsey concurred in the plea to the jurisdiction and recommended that the lad be bound over.

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**LEO FRANK
APPEALS**

TO SUPREME COURT

Judge Roan Certifies
to His

Remarks, Declaring
His

Doubt of Prisoner's
Guilt
or Innocence.

The bill of exceptions presented by the defense of Leo Frank in the appeal for a new trial to the supreme court was signed by Judge L. S. Roan, the trial judge, yesterday afternoon at 4 o'clock. This will be the final step Judge Roan will take in the case, as he goes immediately to the appellate bench.

The fight to be waged by the defense, it is stated, will center around the remarks of Judge Roan when he announced his decision denying a new trial, and in which he declared his doubt as to Frank's guilt or innocence. Over the vigorous protest of Solicitor Dorsey Saturday morning he certified to the remarks, saying:

"It is true I said this. I am compelled to certify to my own words."

The phrase, "But I, myself, do not have to be convinced," was stricken from the remarks contained in the bill of exceptions. This was done at the request of Judge Roan. Frank's attorneys worked hard through Friday night preparing the bill of exceptions.

The bill of exceptions, filed with the clerk of supreme court, contains only a brief summary of grounds upon which the appeal is being made, also the affidavits put in evidence at the new trial hearing before Judge Roan. It is a brief document, running not over four pages.

The next steps of the defense will be to put in hand of the printer the brief of evidence of the trial and the grounds upon which the plea for new trial is based. This will require some time, probably three weeks or more. Following which the appeal will go directly to the supreme court.

It is predicted in court circles that arguments will not be heard until next March. Following the arguments, it will be several months before a decision is handed down.